3922. Misbranding of methamphetamine hydrochloride tablets and pentobarbital sodium capsules. U. S. v. Leslie M. Nelson (Green Lake Pharmacy). Plea of guilty. Fine, $750. (F. D. C. No. 33734. Sample Nos. 29881-L, 29885-L.)

INFORMATION FILED: December 31, 1952, Western District of Washington, against Leslie M. Nelson, trading as the Green Lake Pharmacy, Seattle, Wash.

ALLEGED VIOLATION: On or about October 29 and November 5, 1951, while quantities of *methamphetamine hydrochloride tablets* and *pentobarbital sodium capsules* were being held for sale at the Green Lake Pharmacy, after shipment in interstate commerce, the defendant caused a number of such tablets and capsules to be repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs failed to bear labels containing an accurate statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (b) (1), the repackaged *methamphetamine hydrochloride tablets* failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

Further misbranding, Section 502 (d), the repackaged *pentobarbital sodium capsules* contained a chemical derivative of barbituric acid, which derivative has been found to be, and by regulations designated as, habit forming; and the label of such capsules failed to bear the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (1), the label of the repackaged *pentobarbital sodium capsules* failed to bear the common or usual name of the drug; and, Section 502 (f) (2), the labeling of the *methamphetamine hydrochloride tablets* failed to bear adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

DISPOSITION: March 16, 1953. The defendant having entered a plea of guilty, the court fined him $750.

3923. Misbranding of pentobarbital sodium capsules, Seconal Sodium capsules, and sulfadiazine tablets. U. S. v. Gordon A. Wolf (Wolf Drug Store), and Otto O. Hansen. Pleas of guilty. Fines of $100 against Defendant Wolf and $50 against Defendant Hansen. (F. D. C. No. 33739. Sample Nos. 19315-L, 19327-L, 19328-L, 19333-L, 19357-L, 35014-L, 35015-L, 35028-L.)

INFORMATION FILED: January 21, 1953, Western District of Wisconsin, against Gordon A. Wolf, trading as the Wolf Drug Store, Thorp, Wis., and Otto O. Hansen, a pharmacist.

ALLEGED VIOLATION: On or about January 9, March 20, April 19, May 23, June 20, and July 12, 1951, while a number of *pentobarbital sodium capsules*, *Seconal Sodium capsules*, and *sulfadiazine tablets* were being held for sale at the Wolf Drug Store, after shipment in interstate commerce, various quantities of the drugs were repacked and dispensed without a prescription, which acts resulted in the repackaged drugs being misbranded.

Gordon A. Wolf was charged as a defendant in each of the 8 counts of the information, and Otto O. Hansen was joined as a defendant in 6 counts.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs failed to bear a label containing an accurate statement of the quantity of the contents; Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use; and, Section 502 (b) (1), a portion of the repackaged *sulfadiazine tablets* failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

Further misbranding, Section 502 (d), the repackaged *pentobarbital sodium capsules* and *Seconal Sodium capsules* contained chemical derivatives of barbituric acid, which derivatives have been found to be, and by regulations designated as, habit forming; and the labels of the repackaged capsules failed to bear the name, and quantity or proportion of each derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (1), the repackaged *sulfadiazine tablets* failed to bear a label containing the common or usual name of the tablets; and, Section 502 (f) (2), the labeling of the repackaged *sulfadiazine tablets* failed to bear adequate warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration, in such manner and form, as are necessary for the protection of users.

DISPOSITION: On January 26, 1953, Defendant Wolf having entered a plea of guilty, the court fined him $100. On March 12, 1953, following a plea of guilty by Defendant Hansen, the court fined him $50.

3924. Misbranding of Seconal Sodium capsules and capsules of Seconal Sodium and Amytal Sodium. U. S. v. Snyder's Drug Stores, Inc., and Anthony J. Klenert. Plea of nolo contendere for corporation and plea of guilty for individual. Corporation fined $250 and individual fined $50. (F. D. C. No. 32704. Sample Nos. 19329–L, 35151–L, 35152–L, 35212–L.)

INFORMATION FILED: May 16, 1952, District of Minnesota, against Snyder's Drug Stores, Inc., Minneapolis, Minn. and Anthony J. Klenert, a pharmacist for the corporation.

ALLEGED VIOLATION: On or about May 31 and August 1 and 3, 1951, while a number of *Seconal Sodium capsules* and *capsules of Seconal Sodium and Amytal Sodium* were being held for sale at Snyder's Drug Stores, Inc., various quantities of such drugs were repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

The corporation was named as a defendant in all four counts of the information, and the individual was joined as a defendant in three counts and charged with the violation involved in those counts.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs failed to bear labels containing an accurate statement of the quantity of the contents.

Further misbranding, Section 502 (d), the repackaged drugs contained chemical derivatives of barbituric acid, which derivatives have been found to be, and by regulations designated as, habit forming; and the labels of such drugs failed to bear the name, and quantity or proportion of each such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."